### CITY OF INGLESIDE MINUTES CITY COUNCIL MEETING MARCH 10, 2015

#### 1. Call meeting to order

The meeting was called to order at 6:31 p.m. with Mayor Pete Perkins presiding. Council Members present: Mayor Pete Perkins and Council Members Cynthia Wilson, Ben Tucker, Elaine Kemp, Kevin Robbins, and Willie Vaden. Council Members absent: Council Member Paul Pierce. Staff present: City Manager, Jim Gray, Finance Director Rosie Vela, and City Secretary Kimberly Sampson. There were approximately 20 guests.

- 2. Invocation
- 3. Pledge of Allegiance
- 4. Presentations from the Audience

There were no presentations from the Audience.

5. Consideration and action of the Minutes of the Regular City Council Meeting of February 24, 2015.

Council Member Kemp made a motion to approve the Minutes of the Regular City Council Meeting of February 24, 2015 and was seconded by Council Member Wilson. The motion was approved unanimously.

6. Consideration and action authorizing the closure of streets and use of City Staff to support a Tobacco Free Parade on Friday, March 13, 2015 at 7:35 a.m. to begin at the High School and travel to and from Dairy Queen via Mustang Drive, Avenue B, and Main Street.

Ms. Donna Gonzales of the Ingleside Independent School District explained that she would like to lead a group of students known as Students Against Destructive Decisions (SADD) on a Tobacco Free Parade on Friday, March 13, 2015 at 7:35 a.m. to begin at the High School travel to and from Dairy Queen via Mustang Drive, Avenue B, and Main Street and then back to the High School via the same route. The students walk along the sidewalk and we would only utilize the City Police Officers to protect the students when crossing intersections. It consists of about 80 students.

City Manager Jim Gray stated this has been reviewed by Police Chief Stan Bynum and staff recommends approval.

Mayor Perkins made a motion authorizing the closure of streets and use of City Staff to support a Tobacco Free Parade on Friday, March 13, 2015 at 7:35 a.m. to begin at the High School, travel to and from Dairy Queen via Mustang Drive, Avenue B, and Main Street and was seconded by Council Member Vaden. The motion was approved unanimously.

7. Presentation, discussion, and action regarding the City of Ingleside's Audit for the year ending September 30, 2014 from Ernest Garza and Company.

Ernest Garza provided an overview of the City of Ingleside's Audit for the year ending September 30, 2014. He explained the "Unmodified" report means it is a good opinion and the finances are accurate. There were no significant deficiencies. There were a few items noted within the Management Letter; however, these are minor and meant for internal use only: (1) requesting that grants, even very small ones to be kept in separate funds; (2) there were a couple of Purchase Orders missing, even the repetitive monthly bills should be on Purchase Orders; (3) was a discrepancy of an employee's net pay as well as making sure the I-9's and W-4's are accurately completed; and (4) to make sure there are completed W-9's and 1099's for all Vendors. Each of these items have either already been cleared up or steps are being taken to make sure they are fixed immediately. These items are minor and are only suggestions for areas of improvement.

Council Member Vaden made a motion to accept the City of Ingleside's Audit for the year ending September 30, 2014 from Ernest Garza and Company and was seconded by Council Member Wilson. The motion was approved unanimously.

8. Consideration and action of an Ordinance granting a Special Permit to temporarily be allowed to reside in a Recreational Vehicle (RV) on his property, for security purposes, while finishing construction of his new home located at Lot 2, Block 1, Christian's Corner Subdivision, also known as 2078 Mooney Lane, and further providing for effective date, reading, severance and publication. (Final Reading)

Council Member Kemp made a motion to approve Ordinance # 2015-08 granting a Special Permit to temporarily be allowed to reside in a Recreational Vehicle (RV) on his property, for security purposes, while finishing construction of his new home located at Lot 2, Block 1, Christian's Corner Subdivision, also known as 2078 Mooney Lane, and further providing for effective date, reading, severance and publication; and was seconded by Mayor Perkins. The motion was approved unanimously.

9. Consideration and action of an Ordinance amending Chapter 78-Zoning, Article V – Supplementary District Regulations, Division 2 – Height and Area Regulations, Ingleside Code of Ordinances to amend Section 78-341 – Same-Dwelling Minimum Square Footage, and further providing for effective date, reading, severance and publication. (Final Reading)

Council Member Kemp made a motion to approve Ordinance # 2015-09 amending Chapter 78-Zoning, Article V — Supplementary District Regulations, Division 2 — Height and Area Regulations, Ingleside Code of Ordinances to amend Section 78-341 — Same-Dwelling Minimum Square Footage, and further providing for effective date, reading, severance and publication and was seconded by Council Member Tucker. The motion was approved unanimously.

10. Consideration and action of an Ordinance amending Chapter 78, Article I – In General, Ingleside Code of Ordinances to amend Section 78-1 – Purpose and Intent of Chapter, to add Subsection (d) to allow a Recreational Vehicle (RV) for security purposes in conjunction with an active building permit, and further providing for effective date, reading, severance and publication. (Final Reading)

Council Member Kemp made a motion to approve Ordinance # 2015-10 amending Chapter 78, Article I – In General, Ingleside Code of Ordinances to amend Section 78-1 – Purpose and Intent of Chapter, to add Subsection (d) to allow a Recreational Vehicle (RV) for security purposes in conjunction with an active building permit, and further providing for effective date, reading, severance and publication and was seconded by Council Member Vaden. The motion was approved unanimously.

11. Consideration and action of an Ordinance amending Chapter 66 Utilities, Article VI Backflow Prevention, Division 2 Authority and Responsibility, Section 66-141 Authority of the City Water System, Subsection (d), and adding Section 66-145 Establishment of Fees, and further providing for effective date, reading, severance, and publication. (First Reading)

Building Official John Davis stated that due to the TCEQ regulations the City of Ingleside has an Ordinance requiring backflow devices. With regards to commercial businesses, these devices are required to be inspected annually and this is a burden on the staff resources. This ordinance would allow the City to (1) contract with a secondary company to send out the notices, inspect the devices, track compliance issues, and provide feedback to the City; and (2) allow the City to charge an administrative fee for this TCEQ regulation. At the second reading of this Ordinance, there will be a Resolution for the Council to set that Administrative fee.

Council Member Kemp made a motion to pass to a second reading an Ordinance amending Chapter 66 Utilities, Article VI Backflow Prevention, Division 2 Authority and Responsibility, Section 66-141 Authority of the City Water System, Subsection (d), and adding Section 66-145 Establishment of Fees, and further providing for effective date, reading, severance, and publication; and was seconded by Council Member Wilson. The motion was approved unanimously.

### 12. Consideration and action regarding terms for a future 380 Agreement with Seaside Landing Apartments.

City Manager Jim Gray requested that the Council authorize the terms of the 380 Agreement with Seaside Landing Apartments to be set as follows:

	Estimated Fee	Discounted	Seaside to pay
Permitting Fees	\$78,202.38	\$50,000.00	\$28,202.38
Impact Fees	\$206,775.72	\$0	\$206,775.72
Park Dedication Fees	\$8,264.46	\$5,000.00	\$3,264.46
Water Meter Fees	\$20,969.20	\$20,969.20	\$0
Totals	\$314,211.76	\$75,969.20	\$238,242.56

And further authorize the Mayor to sign the agreement once provided by the City Attorney.

Council Member Kemp made a motion authorizing the Mayor to sign the 380 Agreement with Seaside Landing Apartments as described above and was seconded by Council Member Tucker. The motion was approved with Mayor Perkins and Council Members Wilson, Tucker, Kemp, and Vaden voting aye; and Council Member Robbins voting no.

### 13. Consideration and action to award the bid and authorize the use of funds for the FM 1069 Utility Crossings for the widening/improvements to FM 1069 by TxDOT.

City Manager Jim Gray explained that as the FM 1069 project by TxDOT progresses from Aransas Pass towards Ingleside, the staff is seeking authorization from the Council to plan ahead by making some water and wastewater connections from the East side of FM 1069 to the West side of FM 1069 on the North end of town now, before they improve that area within our City Limits. At this time, there are no plans for improvement of the West side of FM 1069 on the North side of town; however, the cost of doing that after the improvements are made to FM 1069 will be even more expensive and could cause other damages to FM 1069 at a later date. The other side of the thought process is if the City does nothing and could make a developer pay for that movement of lines. He noted there was only one bid at this time due to several of the individuals we spoke with were already too busy for this small of a contract. This contract was within the engineer's estimate.

Council Member Kemp made a motion to award the bid to Bridges Specialties, Inc. in the amount of \$222,427.00 to be paid as follows: Wastewater Impact Fees - \$119,760, Water Impact Fees - \$80,209.00, and the balance of \$22,458.00 to be paid from Water Department Reserve Fund; and was seconded by Mayor Perkins. The motion was approved unanimously.

# 14. Consideration and action authorizing the use of funds for the Mayor and City Manager to attend the Coastal Bend to DC scheduled for March 22 through March 25, 2015.

City Manager Jim Gray and Mayor Perkins explained this trip is not only to support some of the other area projects, but to also make sure our Legislator don't forget our names and faces between the years when we do have specific projects we want their support.

Council Member Kemp made a motion authorizing the use of General Fund funds not to exceed \$5,000.00 for the Mayor and City Manager to attend the Coastal Bend to DC scheduled for March 22 through March 25, 2015 and was seconded by Council Member Tucker. The motion was approved with Mayor Perkins and Council Members Wilson, Tucker, Kemp, and Vaden voting aye; and Council Member Robbins voting no.

## 15. Consideration and action authorizing the use of funds for the Mayor, City Manager, and JJ Johnston to travel to China June 16 through 24, 2015.

City Manager Jim Gray stated this is a trip for the Mayor, City Manager, and Industrial Consultant (J.J. Johnston of Econogine, LLC) to travel to both China and Taiwan to meet with potential developers. There may be other individuals from CCREDC attending along with us, but they will have their own funding. We are estimating the expenses to be approximately \$20,000.00; however, we are requesting \$25,000.00 in case the cost of plane tickets or hotel expenses increase from the current quotes by the time we have the meetings scheduled and make those reservations.

Council Member Kemp made a motion authorizing the use of General Fund Contingency funds not to exceed \$25,000.00 for the Mayor, City Manager, and JJ Johnston to travel to China and Taiwan June 16 through 24, 2015 and was seconded by Council Member Tucker. The motion was approved with Mayor Perkins and Council Members Wilson, Tucker, Kemp, and Vaden voting aye; and Council Member Robbins voting no.

## 16. Consideration and action of a Resolution in support of the funding and construction of the proposed 1.96 miles State Highway 200 in the City of Ingleside, Texas.

City Manager Jim Gray explained this is a Resolution written by State Representative J.M. Lozano's office in support of our State Highway 200 project wherein he is attempting to commit an additional \$5,000,000.00 to this project. Council Member Wilson questioned whether the turn lanes would be included in this proposal and Mr. Gray stated he would confirm that information.

Council Member Kemp made a motion approving Resolution # 2015-03 in support of the funding and construction of the proposed 1.96 miles State Highway 200 in the City of Ingleside, Texas; and was seconded by Council Member Vaden. The motion was approved unanimously.

### 17. Consideration and action of Amendment # 1 to the Advance Funding Agreement for SH 200.

City Manager Jim Gray stated that due to some unknown factors, there may be a need for the City to condemn some properties in order to move forward with the State Highway 200 project. The City is actively working with these property owners in an effort to reach a reasonable agreement; however, if we cannot, this is TxDOT authorization to allow the City to make that decision if required.

Council Member Kemp made a motion authorizing the Mayor to sign the Amendment # 1 to the Advance Funding Agreement for SH 200 and was seconded by Mayor Perkins. The motion was approved unanimously.

#### 18. Receive the Departmental Reports for the month of February 2015.

City Manager Jim Gray explained that over \$100,000 of retainage is being withheld from the contractor by the City of Ingleside until the EDA project is completed. At this point, we are being told the only holdup is for dry ground so they can place the poles for the light fixtures.

### 19. Staff Reports

City Manager Jim Gray announced he will be out of the office March 11-13, 2015 for vacation; however, he is available via phone and email.

#### 20. Requests from Council Members

Council Member Vaden apologized to the public for not speaking up during item # 9 in opposition of the 800 square feet.

Council Member Kemp requested the City Manager to keep trying to get Retail Coach to provide a report.

Council Member Wilson asked the City Manager to confirm there will be turn lanes on SH-200.

#### 21. Adjourn

There being no further business, the meeting was adjourned at 7:24 p.m.

ATTEST:

Kimberly Sampson, City Secretary

Mayor Pete Perkins